

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BRENT SANBORN,

Plaintiff,

v.

KATY KALE, et al.,

Defendants.

CASE NO. 21-5172 RJB

ORDER ADOPTING REPORT AND
RECOMMENDATION

This matter comes before the Court on the Report and Recommendation of U.S. Magistrate Judge J. Richard Creatura. Dkt. 12. The Court has considered the Report and Recommendation and the remaining record.

On September 22, 2021, the Report and Recommendation was filed, recommending that the Plaintiff's application to proceed *in forma pauperis* ("IFP") be denied and this case be dismissed without prejudice. Dkt. 12. The Report and Recommendation (Dkt. 12) should be adopted. After being informed of the deficiencies of his original proposed complaint, the Plaintiff was given an opportunity to file a proposed amended complaint. Dkt. 6. He did so

1 (Dkt. 11) and, as stated in the Report and Recommendation, still failed to state a claim upon
2 which relief could be granted. Accordingly, the Report and Recommendation should be adopted
3 (Dkt. 12), the Plaintiff's IFP application (Dkt. 1) should be denied and the case dismissed
4 without prejudice for failure to state a claim.

5 **IT IS SO ORDERED.**

6 The Clerk is directed to send uncertified copies of this Order to U.S. Magistrate Judge J.
7 Richard Creatura, all counsel of record, and to any party appearing pro se at said party's last
8 known address.

9 Dated this 13th day of October, 2021.

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12 ROBERT J. BRYAN
13 United States District Judge
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